

MINUTES
HANOVER CONSERVATION COMMISSION
APRIL 5, 2006

Approved: 5/3/06

Members/Staff present:

Stephen T. O'Leary, Chairman
James M. Smith, Vice Chairman*
Neal Merritt, Hearing Officer
Deke Moore, Commissioner
Sandra D. MacFarlane, Secretary

Members/Staff not present:

Laura Horky, Commissioner
Patrick Gallivan, Conservation Agent

Others present:

Attached List



The meeting, which was held in the second floor meeting room at Hanover Town Hall, was called to order at **7:00 PM** by Chairman Stephen T. O'Leary.

ACTION ITEMS

7:03 PM

1. Requests for Certificate of Compliance :

- SE 31-762, 758 Broadway- all work complete
- SE 31-648, 199 Webster St.- work never commenced, new ANRAD submitted

VOTE: SO-yes; NM-yes; DM-yes: **to issue both Certificates of Compliance**

2. Request for Amended Certificate of Compliance: SE 31-772, 101 Industrial Way

VOTE: SO-yes; NM-yes; DM-yes: **to issue an Amended Certificate of Compliance**

* Commissioner James Smith arrived at 7:10 PM.

3. Request for Extension Permit: SE 31-671, 12 Cricket's Run

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to issue a one year Extension Permit**

4. Hunting Policy- public hearing notice

DISCUSSION: Chairman O'Leary announced that a public hearing to discuss the 2/15/06 vote and the hunting policy on conservation parcels would take place; a brief discussion ensued concerning the date and time. Public hearing notices shall be placed in the Hanover Mariner and a press release will be sent to local newspaper. The press release is to contain the following items in addition to the time and date:

- a. the topic of hunting is to be re-visited,
 - b. the 2/15/06 vote stands,
 - c. the "No hunting " signs will be taken down,
- and the press release is to be posted on the web site.

Several members of the audience, including those from surrounding towns spoke in favor of hunting. A Hanover resident spoke to the issue referring to documents he had obtained concerning State hunting policy and Mass. General Laws, noting that hunters typically are pro-environment. In light of the upcoming season for turkey hunting, the Commission agreed that the 2/15/06 stood as voted and stated that the "No hunting signs" will be removed from conservation parcels with help from the DPW (as they routinely aid in the maintenance and

replacement of conservation signs). It was also noted that in addition to turkeys, deer, duck, geese, and coyotes may be hunted.

In addition, the agenda and minutes were discussed as to the Conservation Web-site and keeping the public informed.

VOTE 4a: SO-yes; JS-yes; NM-yes; DM-yes: **to post a public hearing notice** for 5/3/06 at 7:30 PM to review the Commission's hunting policy for conservation parcels, and

VOTE 4b: SO-yes; JS-yes; NM-yes; DM-yes: **to have DPW remove the "No hunting" signs from conservation parcels, and**

VOTE 4c: SO-yes; JS-yes; NM-yes; DM-yes: **to close the agenda for Conservation Commission regularly scheduled meetings on the Friday prior to the meeting, at noon and to post the agenda and approved minutes on the web-site starting with January 2006 to present.**

5. Regulations- proposed revisions/ public hearing notice

DISCUSSION: Chairman O'Leary suggested that a public hearing be posted to review newly proposed revisions to the Commission's Rules and Regulations. A brief discussion ensued resulting in a timeframe for the staff to submit and Commission to review initial draft revisions. Commissioner Moore emphasized the importance of clarity and areas relating to setbacks and vernal pools. Initial drafts are to be reviewed by Commissioner Moore, with April 13 or 14 as the goal. Time and date of public hearing was discussed and was voted as follows:

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to post a public hearing notice** for 5/3/06 at 7:00 PM to review proposed revisions to the Commission's Rules and Regulations.

6. Conservation Land- Special Use Permit- Luddam's Ford Park

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to issue the permit for a Boy Scout event.**

PUBLIC HEARINGS/MEETINGS:

7:30 PM **SE 31-899, 454 Broadway-** ANRAD- *cont'd from 3/15/06 mtg: see request to continue to 4/19/06*
PRESENT:

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to continue the hearing** to 4/19/06 at 7:30 PM

7:30 PM **BL 06-06, 49 Meadowbrook Road-** RDA- *FOR SEPTIC REPAIR*

PRESENT: Mr. Alan Diaz, Applicant's Representative

DISCUSSION: Mr. Diaz presented a plan for abandonment of a cesspool and installation of a new septic disposal system. He requested and was granted permission to use the clean excavated soils to fill in an inground swimming pool. Alternatively, if new owners propose to repair the swimming pool, a new filing will be necessary, as the pool is closer to the wetland than the proposed septic work.

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to close the hearing and issue a Negative Determination of Applicability for new septic system with the condition that debris be removed from the wetland by hand, clean excavated soils may be used as fill if and when the pool is abandoned. Further that the use of the gray water pit, with the approval of the**

Board of Health, may be used as a drywell if the pool is repaired, but that the use of heavy equipment on site for pool repair, requires a new filing.

7:30 PM **BL 06-07, SE 31-900, 719 Webster Street-** NOI- *FOR REMOVAL OF DECK, INST. OF ADDITION*

PRESENT: Mr. John Cavanaro, Cavanaro Consulting, Inc., Applicant's Representative and Mr. James Rosano, Property Owner

DISCUSSION: Mr. Cavanaro presented a plan dated 2/10/06 for proposed work including the removal of a wooden deck to be replaced with an addition. The Conservation Agent's written comments were reviewed by the Commission.

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to close the hearing and issue an Order of Conditions with the requirement of a revised plan showing drywells for roof runoff.**

7:30 PM **SE 31-898, 199, 295, 295 rear Webster Street-** ANRAD- *continued from 3/15/06 meeting*

PRESENT: Mr. Richard Kirby, LEC Environmental, Applicant's Representative and Mr. Michael McGonigle, Property Owner

DISCUSSION: Mr. Kirby explained the project and submitted a plan showing revisions as per Ivas Environmental, Commission's Consultant. A discussion ensued concerning the detention basin. Mr. Kirby stated that he felt this area is jurisdictional only under the By-Law and that a revised ANRAD will exclude it for delineation. Mr. Ivas noted that although the area in question has been degraded by ATV and dirt bike traffic, phragmites and cat-tails are still visible, which in addition to soils and hydrology, qualifies this area as protectable. Due to outstanding issues related to the areas to be delineated, the applicant requested a continuation of the hearing.

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to continue the hearing to 4/19/06 at 7:30 PM.**

OPEN SPACE COMMITTEE UPDATE: Commissioner Laura Horky- No update was given as Commission Horky was not present.

COMMUNITY PRES. ACT COMMITTEE UPDATE: No report for this meeting.

ADMINISTRATIVE:

☒ Approval of Minutes for **3/15/06** meeting

VOTE: SO-yes; JS-yes; NM-yes; DM-yes: **to approve minutes** as submitted

☒ Sign Bills- **signed**

☒ Review Correspondence- **reviewed**

☒ Conservation Staff Report- The Conservation Secretary reported on miscellaneous issues including a temporary minor change to erosion control at 104 Meadowbrook Road, which shall be monitored by the Conservation Agent.

The meeting was adjourned at 9:13 PM.

Minutes Respectfully submitted, 4/10/06

Sandra D. MacFarlane, Conservation Commission Secretary

